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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,428	09/19/2001	Ulrich Knaack	4086-0168P	9460

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EXAMINER

TSIDULKO, MARK

ART UNIT PAPER NUMBER

2875

DATE MAILED: 03/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/955,428

Applicant(s)

KNAACK ET AL.

Examiner

Mark Tsidulko

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-19 is/are allowed.
- 6) ☒ Claim(s) 1, 4 and 8 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 5-7 and 9-12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 2875

DETAILED ACTION

1. The submission of the amendment filed on 12/13/02 is acknowledged. At this point claims 1, 2, 5, 7-9 have been amended and new claims 13-19 have been added. Thus, claims 1-19 are at issue in the instant application.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the *light conductor element is in a interior space of one of a headlight and a taillight* (see claim 1) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glienicke (US 6,356,394).

Art Unit: 2875

3. Referring to Claim 1 Glienicke discloses (Figs.1,2) a light conductor element having a light in-coupling element [F] arranged between two light out-coupling elements, a light source [6] associated with a light in-coupling surface of the light in-coupling element, two light-diverting surfaces of the light in-coupling element each being respectively associated with one of the light out-coupling elements. The light-diverting surfaces are curved outwardly and have a common focus position for the light source.

Glienicke discloses the instant claimed invention except for the light conductor element is in an interior space of one of a headlight and a taillight.

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, that the light conductor element can be arranged at any desired place of vehicle including headlight or taillight depending on necessity.

4. Referring to Claim 4 Glienicke discloses (Fig.1) a light conductor element having a light in-coupling element.

It has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

5. Referring to Claim 8 Glienicke discloses a light-diverting surfaces extend parabolically, with rotation axes of the paraboloids extending into respective out-coupling elements.

Allowable Subject Matter

Claims 2, 3, 5-7, 9-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance:

6. Referring to Claim 2 prior art of record does not show a ring-shaped light conductor element being made of one piece and with two light out-coupling elements being formed from portion of the ring-shaped light conductor element that transmitting into one another because of the ring-shaped structure of the conductor element.

7. Claim 3 is objected as claim depended on Claim 2.

8. Referring to Claim 5 prior art of record does not show light conductor element wherein a smallest spacing of the light in-coupling surface from the light-diverting surfaces is a maximum of one and a half times a structural depth of the light out-coupling element.

9. Claim 6 is objected as claim depended on Claim 5.

Referring to Claim 7 prior art of record does not show a light conductor element wherein the light out-coupling elements facing a reflection surface of the reflector.

10. Referring to Claim 9 prior art of record does not show light conductor element wherein the light-diverting surfaces extend elliptically and two focus positions lying on a line that extends into the respective out-coupling elements.

11. Referring to Claim 10 prior art of record does not show light conductor element having at least three light-diverting surfaces.

Art Unit: 2875

12. Referring to Claim **11** prior art of record does not show a light-diverting surface having at least one light-decoupling element.

13. Referring to Claim **12** prior art of record does not show light conductor element wherein at least one of the light-diverting surfaces of the light in-coupling elements is offset from an optical axis of the light source.

Claims **13-19** are allowed.

The following is an examiner's statement of reasons for allowance:

14. Referring to Claim **13** prior art of record does not show light conductor element wherein a smallest spacing of the light in-coupling surface from the light-diverting surfaces is a maximum of one and a half times a structural depth of the light out-coupling element.

15. Claim **14** is objected as claim depended on Claim **13**.

Referring to Claim **15** prior art of record does not show light conductor element wherein the light out-coupling elements facing a reflection surface of the reflector.

Referring to Claim **16** prior art of record does not show light conductor element wherein the light-diverting surfaces extend elliptically and two focus positions lying on a line that extends into the respective out-coupling elements.

Referring to Claim **17** prior art of record does not show light conductor element having at least three light-diverting surfaces.

16. Referring to Claim **18** prior art of record does not show a light-diverting surface having at least one light-decoupling element.

Art Unit: 2875

17. Referring to Claim **19** prior art of record does not show light conductor element wherein at least one of the light-diverting surfaces of the light in-coupling elements is offset from an optical axis of the light source.

Response to Arguments

18. Applicant's arguments filed on 12/13/02 have been fully considered but they are not persuasive.

Applicant argue that Glienicke fails to show or suggest the light conductor element is in an interior space of the headlight or taillight of the vehicle.

In response, the Examiner is aware that Glienicke fails to disclose the light conductor element is in an interior space of the headlight or taillight of the vehicle, but it is will of course be understood that the light conductor element can be arranged and working identically at any desired place of any vehicle lighting device depending on necessity.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

Art Unit: 2875

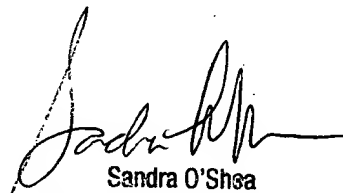
will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Tsidulko whose telephone number is (703)308-1326. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

M.T.
February 24, 2002


Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800